

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 5, 7-11, 14, 16-17, 19, 23, 25, 28-32, 34, 37-41 and 43-45 are presently active in this application, Claims 1, 5, 10 - 11, 14, 16, 19, 25, 28 - 31, 34, 37-40, 43, and 44 having been amended and Claims 3 - 4, 6, 12 - 13, 15, 18, 20 - 22, 24, 26 - 27, 33, 35 - 36, and 42 canceled without prejudice or disclaimer by the present amendment.

In the outstanding Office Action, Claims 1 - 45 were rejected under 35 U.S.C. §102(e) as anticipated by Brown, et al. (U.S. Patent No. 6,665,342, hereinafter called “Brown”).

In light of the outstanding ground for rejection, the Claims have been amended in an effort to focus attention on what is believed to be patentably distinguishing aspects of Applicants’ invention. The various related groups of claims are next discussed in terms of the amendments thereto and the differences over the cited Brown patent.

Re: Claims 1, 2, 5, 6, 7, 9, 25, 34 and 45

Claims 3, 4, 6, 26, 27, 35 and 36 have been canceled, and amended Claim 1 corresponds to a combination of original Claims 1 and 6.

Amended Claim 1 now recites a step of setting a superposing manner for the strobe composite image, the manner including a manner of superposing a frame at a later time on a frame at an earlier time in turn, or a manner of superposing a frame at an earlier time on a frame at a later time in turn, a form of “Z-ordering.”

In contrast, Brown at column 7, lines 45-59 describes mask data. According to Brown, if a region in which an object was present became the background of a new frame, the region is prevented from being overwritten by using the mask data. However, Brown does not disclose anything about switching between an upper-layer frame and a lower-layer

frame. Furthermore, at column 7, Brown mentions a start frame and an end frame, but does not refer to the case where the start frame comes after the end frame. Brown does not disclose “setting a superposing manner for the strobe composite image, the manner including a manner of superposing a frame at a later time on a frame at an earlier time in turn, or a manner of superposing a frame at an earlier time on a frame at a later time in turn.” and thus the rejection of Claims 1, 2, 5, 6, 7, 9, 25, 34 and 45 is believed to have been overcome.

Re: Claims 10, 28, 37 and 43 and Claims 11 and 44

Claims 12 and 13 have been canceled.

Claims 10, 28, 37 and 43 and Claims 11 and 44 are directed to an image composition technique which updates a queue in response to the input of a streaming source (a moving image which is captured by a camera), wherein the time required for generating a strobe image after the reception of a user's instruction to do so is as short as possible.

Applicants have carefully reviewed Brown (especially FIGS. 1, 2 and 4-5 thereof), and based on their review have concluded that Brown fails to describe receiving a user's instruction in relation to a streaming source that is presently being reproduced. Accordingly, it is respectfully submitted that the outstanding rejection of Claims 10, 28, 37 and 43 and Claims 11 and 44 has been overcome.

Re: Claims 14, 29 and 38

Amended claim 14 corresponds to a combination of original claims 14 and 15.

The invention of Claims 14, 29 and 38 concerns a method for automatically determining an extraction parameter based on learning data (correct data). Brown may describe a method for dynamically changing an allowable error, but does not describe

determining an extraction parameter by use of correct data. Accordingly, it is respectfully submitted that the outstanding rejection of Claims 14, 29 and 38 has been overcome.

Re: Claims 16, 17, 30 and 39

Amended claims 16 corresponds to a combination of original claims 16 and 18.

The invention of Claims 16, 17, 30 and 39 is directed to a technique which synthesizes images which cameras captures in real time, in response to a user's input such as a one-click instruction. However, Brown does not describe capturing images in real time; nor does it describe displaying captured images while simultaneously generating a strobe image. In particular, Brown does not permit the user to observe images presented in real time and select some of the presented images. Accordingly, it is respectfully submitted that the outstanding rejection of Claims 16, 17, 30 and 39 has been overcome.

Re: Claims 19, 31 and 40

Amended claim 19 corresponds to a combination of original claims 19 and 21.

Claims 20-22 have been canceled. Claim 19 has been clarified to state the feature of "determining a switching frame at which a superposing manner is switched, and wherein generating the strobe composite images includes switching the superposing manner between an overlay manner and an underlay manner before and after the switching frame." Similar changes have been made to Claims 31 and 40. Brown is not believed to teach or obviate such features. Accordingly, it is respectfully submitted that the outstanding rejection of Claims 19, 31 and 40 has been overcome.

Re: Claims 23, 32 and 41

Claim 23 recites "obtaining a locus pattern by tracing the feature point in the strobe composite image." Claims 32 and 41 recite similar features. This subject matter is not described in Brown, in which a feature point is traced manually. Accordingly, the outstanding rejection of Claims 23, 32 and 41 is traversed.

Consequently, in view of the present amendment and in light of the above discussion, the pending claims are believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

EHK/msh

I:\ATTY\EHK\AMEND-RESPONSES\0039\24S\243058US AM 060221.DOC